

HIGH COURT FOR THE STATE OF TELANGANA : HYDERABAD

MAIN CASE NO: C.R.P. NO.1379 OF 2024

PROCEEDING SHEET

SL. NO	DATE	ORDER	OFFICE NOTE
	12.07.2024	<u>SP, J</u> <u>C.R.P. NO.1379 OF 2024</u> Sri A. Narayan Sanghi, learned counsel appears for the petitioners. Issue notice to the respondents by making it returnable within four weeks. Learned counsel for the petitioners is permitted to serve on the respondents by personal service. In that event, proof of service be filed in the Registry. List the matter on 09.08.2024. <u>I.A.No.1 of 2024</u> Learned counsel for the petitioners submits that the plaintiffs filed O.S.No.1096 of 2023 seeking declaration that they are the legal representatives of Late Bharat Bhushan. The first wife and children were not impleaded in the aforesaid suit. The present petitioners have already filed an application under Order I Rule 10 CPC in the said O.S. The plaintiffs filed O.S.No.207 of 2023 claiming themselves to be the children of second wife of Late Bharat Bhushan. They suppressed material fact about filing of present O.S. where a declaration is sought for about legal representatives. In addition, they	Transferred to IO Folder before corrections.

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		suppressed the material fact that a partition agreement dated 25.02.2022 had taken place. The litigant must approach the Court with clean hands, clean heart and clean objective. The suppression of material fact itself can be a ground for rejection of plaint is the bone of contention and for this purpose, heavy reliance is placed on the judgment of Madras High Court in A.E. Rathina Naicker v. V.Thirumalai {S.A.No.449 of 2016}. Considering the aforesaid and subject to hearing the other side, till next date of hearing, further proceedings of O.S.No.207 of 2023 on the file of XVII Senior Civil Judge, City Civil Court at Hyderabad, shall remain stayed. _____ SP,J myk	